IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

Bail Appl..No. 1663 of 2007()

AGAINST THE ORDER IN LPC 193/06 IN CC.414/2004
of J.M.F.C.-II,HOSDRUG
CRIME NO.116/2003 OF BEKAL POLICE STATION

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PETITIONER/ACCUSED

SAINUDEEN.C.A., S/O.K.Z.ABDULLA,
CITIZEN NAGAR, CHENGALA, KASARAGOD.

BY ADV. SRI.T.B.SHAJIMON

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY THE SUB INSPECTOR OF POLICE,
BEKAL POLICE STATION, REP. BY THE
PUBLIC PROSECUTOR, ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1663/2007

Dated this 20th day of March, 2007

O R D E R

The petitioner, who is the accused in Crime No.116/2003 of Bekal Police Station for offences punishable under Sections 279, 337 and 304-A IPC, seeks anticipatory bail.

2. Consequent on the non appearance of the petitioner in C.C.No.414/2004 on the file of the J.F.C.M-II, Hosdurg, the case against him was split up and transferred to the long pending register as L.P.C.No.193/2006. Admittedly non bailable warrants of arrest are pending against the petitioner.

3. Such being the position, I am not inclined to nullify the process issued by a court of competent jurisdiction by granting anticipatory bail. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail.

4. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed, after examining

the explanation offered by the petitioner for his previous non appearance.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs